

Exhibit D



Sarah Cohen <sarah@tomorrowlaw.com>

Thoma v. VXN et al. - Meet and Confer on the Original Action and the PAGA Action

Sarah Cohen <sarah@tomorrowlaw.com>

Sun, Sep 17, 2023 at 11:54 PM

To: Eric Clopper <eclopper@kanelaw.la>

Cc: "david@tomorrowlaw.com" <david@tomorrowlaw.com>, "jeff@tomorrowlaw.com" <jeff@tomorrowlaw.com>, Brad Kane <bkane@kanelaw.la>, Chris Cude <ccude@kanelaw.la>, Rafael Yedoyan <rafael@tomorrowlaw.com>, "thomavvxngrouppllcetalz11731883@projects.filevine.com" <thomavvxngrouppllcetalz11731883@projects.filevine.com>, Nadia Rodriguez <nadia@tomorrowlaw.com>, Emanuel Munguia <emanuel@tomorrowlaw.com>

Eric,

Tomorrow at 2 p.m. works for me. It is my understanding that there is no court order requiring the parties to meet and confer before Plaintiff's filing of the first amended complaint. We are in the process of gathering additional facts from our client, who for personal reasons, is unavailable for another call with us until tomorrow evening. Thus, we will not be providing a draft of the first amended complaint before our call tomorrow. However, in good faith, we can have the 2pm call and go from there.

While we appreciate your detailed briefing of the bases of Defendants' anticipated Motions to Stay and/or Demurrers for Pleas in Abatement, Plaintiff will not be stipulating to stay of either the PAGA or UCL claims. A formal response to your Sunday afternoon email regarding Defendants' anticipated motions will not be provided. However, I am happy to briefly discuss during our 2pm call. We can set up another call once I have had more of an opportunity to review your email from earlier today.

Let's use my conference line for our 2pm call tomorrow:

Dial: (310) 693-0786

Access: 845350

Thanks.

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